

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
AUGUST 23, 2011

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Chad Bockius, Council Member
Bob Dorsett, Jr., Council Member
Bill Goodwin, Council Member
Jack McCool, Mayor Pro Tem
Mike Murphy, Council Member

City Staff:

Frank Salvato, City Administrator
Travis Askey, Deputy City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Russell Pancoast, Police Chief
Amy Kelley, Systems Administrator
Giancarlo Patino, Engineer Associate
Stephen Myrick, Building Official

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, August 23, 2011 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

There were not any comments at this time.

Consent Agenda.

- A. Consider approval of minutes of the Regular meeting conducted on July 26, 2011.

B. Consider approval of the monthly financial and investment report.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the minutes of July 26, 2011.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Goodwin and Murphy
Voting Nay:	None
Absent:	None
Abstain:	Council Member Dorsett

The motion carried.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the monthly financial and investment report.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Discuss and consider action on renewing the contract with Texas Municipal League Intergovernmental Employee Benefits Pool for employee health insurance and benefits for fiscal year 2011-2012.

Jeff Kloc, Senior Vice President of the BeneTex Group, presented this item.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the renewal of the contract with Texas Municipal League Intergovernmental Employee Benefits Pool for employee health insurance and benefits for fiscal year 2011-2012.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the relocation of the water quality pond for Bee Cave Parkway extension Phase IIIB.

John Clark with LJA Engineering, along with Tim Skaggs, owner of the property, presented this item. They asked Council to consider a possible relocation of the water quality pond located on the property that was designed for the Bee Cave Parkway Phase IIIB extension. The current location of the proposed pond is on the Skaggs easement and is deeded to the City.

Mr. Clark also requested that the excess landfill from the new pond be used for the future development of land on the Skaggs property.

The City Council had questions regarding the benefits and cost savings to the City and also the impact of the current construction schedule.

This item will be reviewed at a future council meeting along with a request for a second median cut on Bee Cave Parkway.

MOTION: A motion was made by Council Member Dorsett, seconded by Council Member Murphy, to direct staff to develop documents to relocate the pond and to provide additional information regarding the benefits to the City and associated costs.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the formal and final acceptance for paving and drainage improvements for the 4th construction phase of Falconhead West Phase I, Section II and Phase II.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the formal and final acceptance for paving and drainage improvements for the 4th construction phase of Falconhead West Phase I, Section II and Phase II.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Executive Session

The City Council closed the Open Session at 7:12 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551-072 – Deliberation regarding Real Property; and Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

- A. LCRA Rate Case litigation
- B. Consultation with Attorney regarding acquisition of LCRA water/wastewater systems, to include possible condemnation of the West Travis County systems.
- C. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises dba Planet K.
- D. Consultation with attorney regarding litigation filed against City and Reit Management & Research Trust by Rod-Ave, L.P.

The City Council closed the Executive Session at 8:48 p.m. and reconvened in Regular Session in the Council Chambers.

Consultation with attorney regarding litigation filed against City and Reit Management & Research Trust by Rod-Ave, L.P.

MOTION: A motion was made by Mayor Pro Tem McCool, seconded by Council Member Goodwin, to authorize the settlement between Rod-Ave, L.P. and Reit Management & Research Trust and authorize execution of the documents.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discussion of preliminary budget for fiscal year 2011-2012.

Deputy City Administrator Travis Askey presented a preliminary budget forecast of revenue and expense for the FY 2011-2012 budget.

No action was taken on this item.

Adjournment

MOTION: A motion was made by Mayor Pro Tem McCool, seconded by Council Member Bockius, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent:

The motion carried.

The City Council adjourned the Regular Session at 9:06 p.m.

PASSED AND APPROVED this 13th day of September, 2011.

Jack McCool, Mayor Pro Tem

ATTEST:

Kaylynn Holloway, City Secretary
[SEAL]